

## Memorandum Department of Planning & Public Works



**To:** Planning and Public Works Committee

**From:** Charlie Campo, Project Planner

**Date:** 10/8/2009

**RE:** **P.Z. 10-2009 84 Lumber (MASE LLC):** A request for a change of zoning from "C-8" Planned Commercial District to "PI" Planned Industrial District for a 7.42 acre tract of land located south of Interstate 64/Highway 40 and East of Long Road at 17519 Chesterfield Airport Rd. (17U510073).

### Summary

Chris Kehr on behalf of MASE LLC., has submitted a request for a change of zoning from "C-8" Planned Commercial District to "PI" Planned Industrial District. The Subject Site is a 7.42 acre former lumber yard and associated retail store. The petitioner seeks to amend the list of allowed uses. Currently the ordinance only allows "a retail lumber/home center with outdoor display areas, outdoor storage areas, and storage sheds." A Public Hearing for this request was held on June 22, 2009, at that time the Planning Commission identified a number of issues. The petitioner submitted a letter addressing the issues identified and staff has included its analysis in the attached Planning Commission Vote Report.

At the September 14, 2009 Planning Commission meeting, a motion recommending approval of the above-referenced matter was made with the three following amendments to the language in the Attachment A:

Section I, Specific Criteria, A. Permitted Uses, page 1. The following language was added:

- n. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, and boats, **but excluding tractor trailers**, as well as associated repairs and necessary outdoor storage of said vehicles, **but excluding tractor trailers**.

Section I, Specific Criteria, A. Permitted Uses, page 2. The following language was removed:

~~u. Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.~~

Section I, Specific Criteria, N. Miscellaneous, page 8. The following language was added:

1. All utilities will be installed underground.
2. **At such time as significant structural improvements or changes to the existing fences or buildings are made to the existing development, the existing development will be required to adhere to all applicable code requirements and design guidelines of the City of Chesterfield.**

The motion failed by a vote of 4-4.

The petition was placed on the agenda for the September 24, 2009 Planning and Public Works Committee meeting. At that meeting the Petitioner submitted a letter and requested in person to the Committee, that consideration of this project be moved to the next scheduled meeting of the Planning and Public Works Committee.

Staff presented a summary of the request and the Committee identified a number of issues that they wanted the petitioner to address including: rezoning to a "PI" Planned Industrial zoning designation versus a "PC" Planned Commercial designation; the number and type of uses being requested; the appearance of the site from Interstate-64/Highway 40-61; the hours of operation and the issue of odors from the site.

A motion to hold P.Z. 10-2009 84 Lumber (MASE LLC) until the October 8, 2009 Planning & Public Works Committee meeting was passed by a vote of 4 to 0.

Following the September 24, 2009 Planning and Public Works Committee meeting the Petitioner submitted a letter addressing the Committee's issues along with a revised list of requested uses.

The uses shown in red below have been modified or removed from the list of the petitioners requested uses.

- a. ~~Business service establishments. Associated work and storage areas required by a business, firm, or service to carry on business operations.~~
- b. ~~Financial institutions.~~
- c. ~~Hotels and motels.~~

- ~~d. Mail order sale warehouses.~~
- ~~e. Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
  - ~~i. Facilities producing or processing explosives or flammable gases or liquids;~~
  - ~~ii. Facilities for animal slaughtering, meat packing, or rendering;~~
  - ~~iii. Sulphur plants, rubber reclamation plants, or cement plants, and~~
  - ~~iv. Steel mills, foundries, or smelters.~~~~
- f. ~~Medical and dental offices.~~
- g. ~~Mortuaries.~~
- h. Offices or office buildings.
- i. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- ~~j. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.~~
- ~~k. Printing and duplicating services.~~
- ~~l. Restaurants, fast food.~~
- ~~m. Restaurants, sit-down.~~
- n. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, and boats, as well as associated repairs and necessary outdoor storage of said vehicles, **but not including tractor trailers.**
- o. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of vehicles used by business, **industry**, and agriculture.
- p. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and

souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.

- q. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
- r. Vehicle repair facilities **for automobiles.**
- s. Vehicle service centers **for automobiles.**
- t. Vehicle washing facilities **for automobiles.**
- ~~u. Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.~~

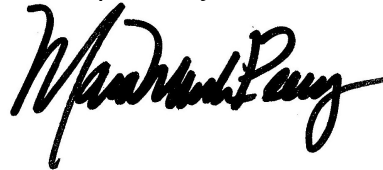
Attached please find a copy of Staff's report to the Planning Commission, the Attachment A, the issues letter to the petitioner, the Petitioners response to the issues letter, a letter addressing issues identified at the 9/24/09 Planning and Public Works Committee meeting, photos of the existing site, a Preliminary Plan and a letter from the adjacent property owners.

Respectfully submitted,



Charlie Campo, AICP  
Project Planner

Respectfully submitted,



Mara Perry, AICP  
Senior Planner

CC: Michael G. Herring, City Administrator  
Rob Heggie, City Attorney  
Michael O. Geisel, Director of Planning & Public Works  
Aimee Nassif, Planning and Development Services Director



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## Planning Commission Staff Report

**Subject:** Change of Zoning Vote Report

**Meeting Date:** September 14, 2009

**From:** Charlie Campo, AICP, Project Planner  
Mara Perry, AICP, Senior Planner

**Location:** South of Interstate 64/Highway 40 and East of Long Road at  
17519 Chesterfield Airport Rd. (17U510073)

**Petition:** P.Z. 10-2009 84 Lumber (MASE LLC)

### Proposal Summary

Chris Kehr on behalf of MASE LLC. has submitted a request for a change of zoning from “C-8” Planned Commercial District to “PI” Planned Industrial District. The Subject Site is a 7.42 acre former lumber yard and associated retail store. The petitioner seeks to amend the list of permitted uses. Currently the ordinance only allows only one use: “a retail lumber/home center with outdoor display areas, outdoor storage areas, and storage sheds”.

### Department Input

The Attachment A for this request meets all of the development requirements of the City of Chesterfield.

### Zoning Analysis

The petitioner is requesting a change of zoning from “C-8” Planned Commercial to “PI” Planned Industrial and to amend the list of permitted uses as shown in the “Attachment A”. The petitioner proposes to use the site in conjunction with his existing collision repair facility located at 47 Caprice Drive. No changes to the existing structures are being proposed.



### Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel are as follows:

North: The site is bordered to the north by Interstate 64/Highway 40-61.

South: The site is bordered to the south by a vacant property zoned "NU" Non-Urban District and Chesterfield Airport Road.

East: The property to the east is vacant and zoned "NU" Non-Urban District.

West: The property to the west is Lou Fusz Ford and is zoned "PC" Planned Commercial District.



View looking east along Chesterfield Airport Rd. View looking west along Chesterfield Airport Rd.





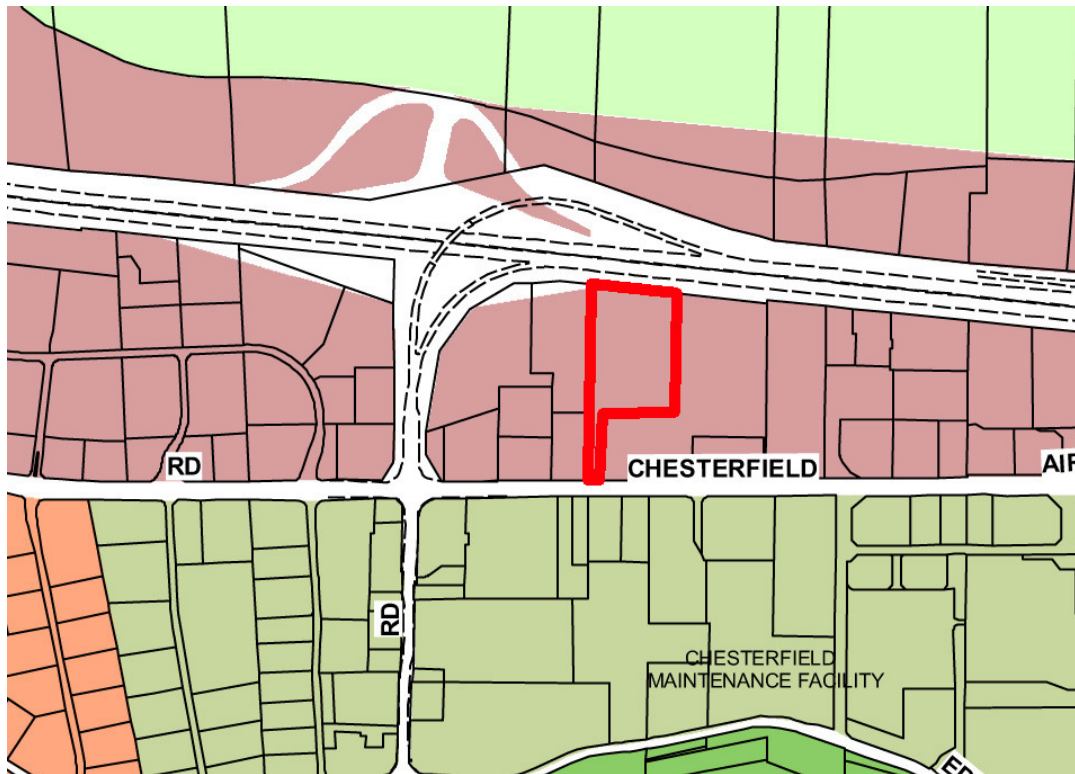
View south across Chesterfield Airport Rd.



View looking northwest along I-64/Hwy 40-61.

### Comprehensive Plan Analysis

The Subject Site is located within Ward 4 of the City of Chesterfield. The Land Use Map from the City of Chesterfield Comprehensive Plan shows the Subject Site to be “Mixed Commercial Use”. Appropriate uses in this designation would be retail and office. Depending on location, some areas may combine warehousing and distribution with office and retail uses. The properties to the east and west are also shown as “Mixed Commercial Use”. Across Chesterfield Airport Road to the south, the property is shown as “Mixed Commercial Use (Retail/Office/Warehouse)”. The proposed uses and zoning are consistent with uses allowed in surrounding “Mixed Commercial Use” areas.



### **Site Area History**

The subject site was rezoned from “NU” Non-Urban District to “C-8” Planned Commercial District in March of 1995 in order to operate a retail lumber yard. The Site Development Plan and Landscape Plan were approved on August 14, 1995 and Architectural Elevations were approved on August 28, 1995. A record plat for the lot was approved on October 2, 1995.

### **Issues**

A public hearing was held before the Planning Commission on June 22, 2009. There were two speakers in opposition of the project and several issues were identified by the Planning Commission. A copy of the City of Chesterfield’s issues letter and the petitioners’ responses are attached.

The following issues have been addressed by the petitioner in their response letter, and input from staff can be found below.

### Proposed Uses

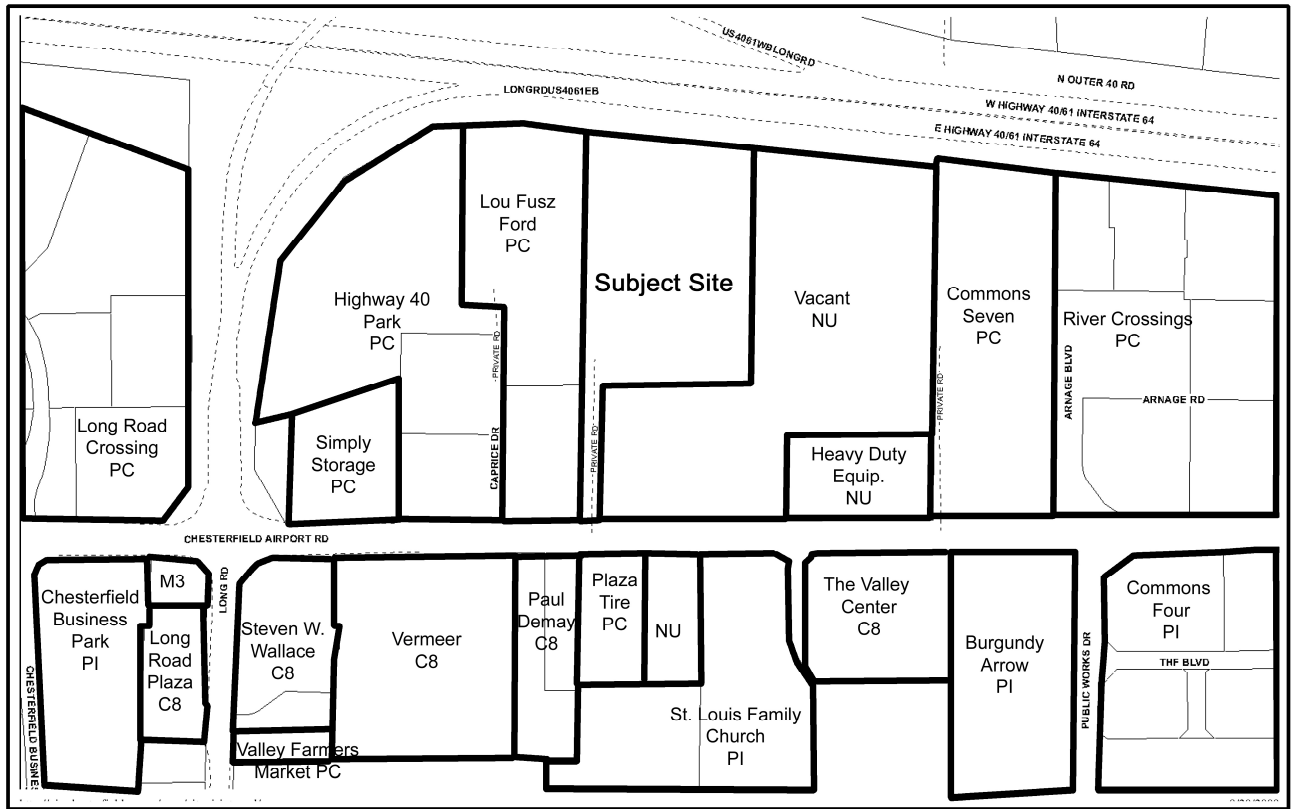
The petitioner was asked to consider removing some of the proposed uses. The petitioner has removed four of the twenty-five requested uses. A revised list of uses was attached to the petitioners’ response letter and has been incorporated into the Attachment A.

Planning Commission asked the petitioner to consider limiting some of the proposed uses to the southern half of the property. The building and parking setbacks listed in the draft Attachment A have been written to limit all uses to the southern portion of the site that is currently developed.

The petitioner explained the reasoning behind their request for “PI” Planned Industrial District zoning rather than “PC” Planned Commercial in the attached response letter. Uses: e, j, k and u that have been proposed by the petitioner and have been incorporated into the draft Attachment A are not listed as permitted uses in the “PC” Planned Commercial district therefore “PI” Planned Industrial is the appropriate district for this development with the uses proposed.

The uses proposed are similar to the uses allowed in other surrounding developments within the “Mixed Commercial Use” land use category. For reference, please see the Area Map and Surrounding Uses Chart below. The uses identified in the draft Attachment A are consistent with the surrounding area.





	Business service establishments	Financial institutions	Hotels and motels	Mail order sale warehouses	Manufacturing, fabrication, assembly...	Medical and dental offices	Mortuaries	Offices or office buildings	Parking areas	Equipment sales, warehousing and repair facilities	Printing and duplicating services	Restaurants, fast food	Restaurants, sit down	Sales, rental, and leasing of new and used vehicles	Sales, servicing and outdoor storage of vehicles used by business, industry, and agriculture	Service facilities, studios, or work areas, associated sales	Stores, shops, markets, service facilities	Vehicle repair facilities	Vehicle service centers	Vehicle washing facilities	Yards for storage of contractors' equipment
Subject Site (84 Lumber)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Burgundy Arrow	X	X	X	X	X	X		X	X	5	5		X			X	X				
Chesterfield Business Park	X	X	X	X	X	X		X	X	X	X	X	X	3	3	X	X	X	X	X	X
Chesterfield Commons Four	X	X	X	X	X	X		X		X	X	X	X			X	X	X	X	X	
Chesterfield Commons Seven		X	X			X		X	X			X	X	2	X	X	X	X	X	X	
Highway 40 Park A&B		X				X						X	X			X	X				
Highway 40 Park C		X	X						X			X	X			X	X				
Long Road Crossing		X	X			X		X	X		X	X	X	1		X	X	X	X	X	
Long Road Plaza		6				X		X	X			6	X				X				
Lou Fusz Ford		X						X						X	X		X	X	X	X	
Paul Demay & Assoc				X				X	X	X					3						
Plaza Tire									X								X	1	X		
River Crossings		X	X			X		X				X	X	3	3	X	X	4	4	4	
Simply Storage Chesterfield												X	X			X					
St. Louis Family Church																					
Steven W. Wallace												X						X			
Valley Center		X				X		X	X			X	X			X					
Valley Farmers Market						X		X	X			X	X			X	X				
Vermeer															X						

- 1 Excluding body shop and damaged vehicles
- 2 Equipment, trucks and boats are indoor only
- 3 No outdoor storage
- 4 Ancillary
- 5 Indoor only
- 6 No drive through

### Site Operation

The proposed hours of operation and the use of the existing gate were addressed by the petitioner in their response. The gate will be open during operational hours however; this site is not intended to be a “retail” type of location with customers visiting the site throughout the day, nor is it expected to have any type of 24 hour activity.

The petitioner has addressed the issue regarding the number of cars to be stored on the site. Staff feels that the petitioner would be able to operate in accordance with the regulations of the draft Attachment A with regard to screening the open storage areas on the site and that no limits on the number of cars allowed are required.

The petitioner has addressed the issue regarding paint odors and fumes on the site in the attached response letter. Section 1003.163 of the Zoning Ordinance lists regulations regarding odor and fumes for all development within the City of Chesterfield. There have been no complaints or violations regarding odor or fumes at the existing Car Star facility to the west and staff had determined that no additional regulations regarding paint fumes and odor are necessary.

### Cross Access

The petitioner has no plans for cross access to the existing Car Star facility to the west. However in the Attachment A, a requirement has been included to provide cross access to the developments to the east and west as directed by the City of Chesterfield.

### Screening

Staff was asked to work with the Petitioner regarding screening of the site from Chesterfield Airport Road and I-64/Highway 40-61. The draft Attachment A requires that all open storage shall be screened with landscaping and/or fencing as shown on the Site Development Plan which matches the language that was previously in Ordinance 1010. The Site Development Plan approved and recorded in 1995, shows a 30 foot Landscape Buffer on the southern side of the property and a combination of landscaping and undeveloped wooded and wetland area on the northern side of the property adjacent to I-64/Highway 40-61. For reference, City of Chesterfield Ordinance 1730 which governs the existing Car Star site requires that all automobiles in a state of disrepair be kept at the rear of the building within a sight proof fence. The existing landscaping and fencing on the Site Development Plan will provide adequate screening of the property from both Chesterfield Airport Road and I-64/Highway 40-61. Any changes to the site will require further review by the City of Chesterfield.

A letter from the adjacent property owners was submitted to the Department, and has been attached. The letter readdresses the issues that were brought up at the public hearing regarding the proposed uses, the appearance of the site and fumes that could affect surrounding properties.

Additional site photos provided by the petitioner have been attached.

The petitioner has addressed all issues sufficiently and staff has no outstanding issues on this Change of Zoning request.

**Request**

Staff has reviewed the change of zoning request from “C-8” Planned Commercial to “PI” Planned Industrial and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on P.Z. 10-2009 84 Lumber (MASE LLC).

**Attachments**

1. Attachment A
2. Issues Letter
3. Petitioners Response to Issues Letter
4. Photos of the Existing Site
5. Preliminary Plan
6. Letter from adjacent property owners

## **Attachment A**

**All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.**

### **I. SPECIFIC CRITERIA**

#### **A. PERMITTED USES**

1. The uses allowed in this "PI" Planned Industrial District shall be:
  - a. Business service establishments.
  - b. Financial institutions.
  - c. Hotels and motels.
  - d. Mail order sale warehouses.
  - e. Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
    - i Facilities producing or processing explosives or flammable gases or liquids;
    - ii Facilities for animal slaughtering, meat packing, or rendering;
    - iii Sulphur plants, rubber reclamation plants, or cement plants, and
    - iv Steel mills, foundries, or smelters.
  - f. Medical and dental offices.
  - g. Mortuaries.
  - h. Offices or office buildings.
  - i. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
  - j. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.

- k. Printing and duplicating services.
- l. Restaurants, fast food.
- m. Restaurants, sit down.
- n. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- o. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of vehicles used by business, industry, and agriculture.
- p. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- q. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
- r. Vehicle repair facilities.
- s. Vehicle service centers.
- t. Vehicle washing facilities.
- u. Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

2. Hours of Operation

Hours of operation for this development shall not be restricted.



**B. BUILDING AND HEIGHT REQUIREMENTS**

1. A maximum of four (4) structures/buildings shall be permitted in this development.
2. Total square footage of buildings in this development, including storage sheds and loading docks, shall not exceed 40,000 square feet.
3. No building shall exceed two (2) stories or thirty (30) feet in height, whichever is less, as measured from the average finished ground elevation of the building.
4. A minimum of 30% openspace is required for this development.

**C. SETBACKS**

1. No building or structure, other than a freestanding project identification sign, light standards or flag poles shall be located within the following setbacks:
  - a. Three hundred (300) feet from the right-of-way of I-64/U.S. 40-61.
  - b. Seventy (70) feet from the southern boundary of this "PI" district.
  - c. Sixty (60) feet from the eastern boundary of this "PI" district.
  - d. Fifty-five (55) feet from the western boundary of this "PI" district.
  - e. No building or structure, other than a freestanding project identification sign, light standards or flag poles shall be located within the access portion of the site.
2. No parking stall, loading/storage areas, internal driveway or roadway, except points of ingress or egress, shall be located within the following setbacks:
  - a. Two hundred ninety (290) feet from the right-of-way of I-64/U.S. 40-61.
  - b. Thirty (30) feet from the southern boundary of this "PI" district.

- c. Thirty (30) feet from the eastern boundary of this "PI" district.
- d. Ten (10) feet from the western boundary of this "PI" district.
- e. No parking stall, loading/storage areas, internal driveway or roadway, except points of ingress or egress, shall be located within the access portion of the site.

**D. PARKING AND LOADING REQUIREMENTS**

- 1. Off-street parking spaces for this development shall be as required in the City of Chesterfield Code.
- 2. Construction Parking
  - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
  - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

**E. LANDSCAPE AND TREE REQUIREMENTS**

The developer shall adhere to the Tree Preservation and Landscape Requirements of the City of Chesterfield.

**F. SIGN REQUIREMENTS**

- 1. One free-standing business sign shall be permitted on Chesterfield Airport Road. Said sign shall not exceed eight (8) feet in height above the average existing finished grade at the base of the sign, or the elevation of the adjacent street, whichever is higher, with a total outline area per face not to exceed seventy (70) square feet. Said sign face shall be attached to a proportional enclosed base, integrated planter or structural frame, the width of which shall be a minimum of one-half (1/2) the width of the widest part of the sign face. The bottom of the sign face shall not exceed a height of three (3) feet above the average existing finished grade at the base of the

sign or elevation of the adjacent street, whichever is higher. An enclosed sign base or integrated planter shall not be required if the sign face is within one (1) foot of the average finished grade at the base of the sign.

2. If said sign is a minimum of twenty-five (25) feet from the right-of-way of Chesterfield Airport Road, the maximum height shall be twelve (12) feet above existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher.
3. All permanent freestanding business signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. If an increase in the outline area and/or height of a freestanding sign requiring Planning Commission approval is requested, the required landscaping for such a sign shall also be subject to Planning Commission Approval.
4. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic for sight distance considerations prior to installation or construction.
5. All other signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

#### **G. LIGHT REQUIREMENTS**

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. No on-site light standard shall exceed twenty-four (24) feet in height.

#### **H. ARCHITECTURAL**

1. The developer shall submit architectural elevations, including but not limited to, color renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.

2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.
5. All permitted open storage shall be screened with landscaping and/or fencing as approved on the Site Development Plan.

**I. ACCESS/ACCESS MANAGEMENT**

1. The existing direct access to Chesterfield Airport Road shall be permitted until such time that access to the site is provided via a proposed connector road to either Arnage Boulevard or to Caprice Drive.
2. No direct access to this development shall be permitted from I-64/U.S. 40-61.
3. Provide cross access easements as needed to the adjacent parcels to the east and west as directed by the City of Chesterfield.

**J. PUBLIC PRIVATE ROAD IMPROVEMENTS INCLUDING PEDESTRIAN CIRCULATION**

1. The Missouri Department of Transportation required this developer to provide right-of-way dedication across the entire property frontage for the future (Long Road interchange) highway construction.
2. Any changes to the drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards and shall be reviewed and approved by MoDOT.

3. The petitioner shall provide adequate detention and/or hydraulic calculation for review and approval for all storm water that will encroach on MoDOT right-of-way.
4. All drainage detention storage facilities shall be placed outside of the standard governmental agencies planning and zoning setbacks, or fifteen (15) feet from the new or existing right-of-way line, whichever is greater.
5. Any work within MoDOT right-of-way will require a MoDOT permit.

**K. POWER OF REVIEW**

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the Site Development Plan be reviewed and approved by the entire City Council. This request must be made no later than 24 hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the Site Development Plan. The City Council will then take appropriate action relative to the proposal.

**L. STORMWATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. The Chesterfield Valley Master Storm Water Plan indicates a 10' flat bottom ditch along the north property line of this site and that drainage from this site is to be directed to the north to Pump Station #4 at Long Road and the North Outer Forty Road. The property owner is required to maintain the cross section and flowline of this channel across the portion that runs through this property.
3. Any proposed drainage modifications to the Chesterfield Valley Master Drainage Plan must meet all drainage performance criteria and be considered functionally equivalent. Functional equivalence is said to be achieved when, as determined by the Director of Planning and Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's



alternate plans. If the Director of Planning and Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

4. Jurisdictional wetlands have been identified on this site. The mitigation for the wetlands has been addressed under the Chesterfield Valley Mitigation Bank Program; therefore, the developer shall reimburse the Program for the mitigation provided for this site. There are 3.16 acres of wetlands delineated on this site, which require a total of 5.26 acres of mitigation credit. To date \$50,624 has been paid. However, prior to approval of any grading permit or improvement plans, or issuance of a building permit, the developer needs to pay the remainder in the amount of \$80,883 to the City of Chesterfield as the site's proportionate share of the cost of establishment of the mitigation area.

#### **M. GEOTECHNICAL REPORT**

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning and Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and improvement plans.

#### **N. MISCELLANEOUS**

All utilities will be installed underground.

## **II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS**

- A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

**III. COMMENCEMENT OF CONSTRUCTION**

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

**IV. GENERAL CRITERIA**

- A. **SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS**
  - 1. Any site development concept plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
  - 2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.

3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

**B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS**

The Site Development Section Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.

12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation and St. Louis County Department of Highways and Traffic.
20. Compliance with Sky Exposure Plane.

## **V. TRUST FUND CONTRIBUTION**

The Developer shall contribute to the Chesterfield Valley Trust Fund.

### **A. Roads**

The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not

exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
TGA Category	Contribution
General Office	\$575.04
General Retail	\$1,725.20
Loading Space	\$2,823.08

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Highways and Traffic.

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development should be retained in the appropriate trust fund.

Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

B. Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$524.83 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.



The primary water line contributions shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to approval of the Site Development Plan unless otherwise directed by the St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

C. Storm Water

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,201.47 per acre for the total area as approved on the Site Development Plan. The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the Treasurer, Saint Louis County.

D. Sanitary Sewer

The sanitary sewer contribution is collected as the Caulks Creek impact fee.

The sanitary sewer contributions within the Chesterfield Valley area shall be deposited with the Metropolitan St. Louis Sewer District as required by the District.

The amount of these required contributions, if not submitted by January 1, 2010, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

## VI. RECORDING

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

## VII. ENFORCEMENT

- A. The City of Chesterfield Missouri will enforce the conditions of this ordinance in accordance with the Site Development Concept Plan and Site Development Section Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.



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690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • [www.chesterfield.mo.us](http://www.chesterfield.mo.us)

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July 6, 2009

Christopher M. Kehr  
911 South 13<sup>th</sup> Street  
St. Louis, MO 63103

**RE: P.Z. 10-2009 84 Lumber (MASE LLC)**

Mr. Kehr,

A Public Hearing was held for the project referenced above on June 22, 2009. At that time a number of issues were raised by the Planning Commission for review. Those issues as well as those raised by staff are listed below. Be advised that additional ordinance requirements will be added upon request of various agencies and that a draft of the governing ordinance will be made available to you prior to the next Planning Commission Meeting on this project.

1. Consider paring down the list of permitted uses with particular attention to uses:
  - a. (g) automatic vending facilities
  - b. (xx) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles
  - c. (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture
  - d. (bbb) Schools for business, professional, or technical training requiring outdoor areas for driving or heavy equipment training
  - e. (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards
  - f. (www) Motion picture theater

2. Address the possibility of limiting certain uses to the southern half of the property.
3. Explain why "PI" Planned Industrial District has been proposed for the site and whether the desired use for the property could be met under the terms of the "PC" Planned Commercial District zoning category.
4. Explain how the requested uses are compatible with the current uses of the properties in the surrounding area.
5. What are the proposed hours of operation? Address the concerns regarding the security of the site, specifically, will the site be open to the public, will it be gated during certain hours, etc.
6. Is there a plan to have cross access between the existing Carstar facility and the subject site through the Ford dealership site?
7. What is the anticipated number of cars that are expected to be stored outdoors on the site?
8. Address the concerns regarding paint odors and fumes that may escape the site.
9. Provide photos showing the current conditions of the buildings on the site.
10. Revise the location map on the Preliminary Plan to show the correct parcel.
11. The Missouri Department of Transportation has submitted the following comments:
  - a. The Missouri Department of Transportation requires this developer to provide right of way dedication across their entire property frontage for the future (Long Road interchange) highway construction.
  - b. Any changes to the drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards and shall be reviewed and approved by MoDOT.
  - c. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right of way.
  - d. We request that all drainage detention storage facilities be placed outside of the standard governmental agencies planning and zoning

setbacks, or 15 feet from the new or existing right of way line, whichever is greater.

- e. Any work within MoDOT's right of way will require a MoDOT permit.
12. The St. Louis County Department of Highways and Traffic has submitted the following Comments
- a. Access to this development from Chesterfield Airport Road shall be restricted to the existing access as directed by the Saint Louis County Department of Highways and Traffic.
  - b. The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
TGA Category	Contribution
General Office	\$575.04
General Retail	\$1,725.20
Loading Space	\$2,823.08

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Highways and Traffic.

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development should be retained in the appropriate trust fund.

Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the

traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

c. Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$693.85 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before St. Louis County approval of the Site Development Plan unless otherwise directed by the Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

d. Storm Water

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,201.47 per acre for the total area as approved on the Site Development Plan. The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the Treasurer, Saint Louis County.

e. Sanitary Sewer

The sanitary sewer contribution is collected as the Caulks Creek impact fee.

The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan St. Louis Sewer District as required by the District.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2010, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic

**Please be advised of the following requirements of the City Code which may impact the project during the later stages of the development process.**

- Jurisdictional wetlands have been identified on this site. The mitigation for the wetlands has been addressed under the Chesterfield Valley Mitigation Bank Program; therefore, the developer shall reimburse the Program for the mitigation provided for this site. There are 3.16 acres of wetlands delineated on this site, which require a total of 5.26 acres of mitigation credit. To date \$50,624 has been paid. However, prior to approval of any grading permit or improvement plans, or issuance of a building permit, the developer needs to pay the remainder in the amount of \$80,883 to the City of Chesterfield as the site's proportionate share of the cost of establishment of the mitigation area.
- A portion of the site is located in the floodplain. Consult Chapter 14 of the City Code for specific requirements. A certification of the actual elevation of any newly constructed floors will be required prior to occupancy of the building.
- Access to Chesterfield Airport Road shall be permitted until such time that access to the site is provided via a proposed connector road to either Arnage Blvd or to Caprice Dr.
- Access management principals to be applied to this development can be found in Chapter 26 of the City Code.

Before submitting your written response to these issues, please set-up a meeting with the Department of Planning and Development Services to review the current conditions in the existing Ordinance for the site and discuss the proposed changes to the Attachment A. A written response to each issue listed in this letter should then be submitted along with three (3) copies of the plan, if any revisions are made.

This project will not be placed on the Planning Commission agenda until after all items are addressed in writing and any revised plan has been reviewed by Staff.

Please do not hesitate to contact me at [ccampo@chesterfield.mo.us](mailto:ccampo@chesterfield.mo.us) or 636-537-4742 if you have any questions about the process.

Sincerely,

A handwritten signature in black ink that reads "Charlie Campo". The signature is written in a cursive, slightly slanted style.

Charlie Campo, AICP  
Project Planner

Cc: Aimee Nassif, Planning and Development Services Director  
Kimberly McMahan, Civil Engineer  
Project File





**KENT KEHR & ASSOCIATES, PC**  
ATTORNEYS AT LAW



August 6, 2009

Mr. Charlie Campo, AICP  
Project Planner  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, MO 63017-0760

**Re: P.Z. 10-2009 84 Lumber (Mase LLC)**

Dear Mr. Campo:

Petitioner has met with Chesterfield Planning staff and submits the following responses to the comments given Petitioner in a letter dated July 6, 2009 (numbered paragraphs correspond to City's numbered comments):

1. Petitioner submits the following revised and reduced requested uses in Exhibit A, attached.
2. Petitioner states that the current site plan and proposed set-backs already effectively restrict uses to the southern portion of the property. Any proposed use and development of the undeveloped section to the north will require a re-zoning, subject to this Commission's approval. The uses proposed are consistent with the master plan and the surrounding uses, as more particularly describe, below.
3. Petitioner has proposed Planned Industrial (PI) because of the representations made recently by a member of the City Council regarding this specific area of the Valley. The comments expressed a concern about having some "PI" in place to provide for both flexibility and diversity and to encourage acceptable non-retail uses in view of the vast amount of retail now in place and the diminishing demand for retail of late from the change in economic conditions.

More important, however, the label, "industrial" versus "commercial" is misleading, as the uses under both zoning ordinances are very similar, and, it will be the final allowed uses that are relevant and material to the final zoning approved. Petitioner's proposed uses are very

similar to those offered in PC, and the requested uses are all appropriate, reasonable and consistent with current uses surrounding the site.

4. The uses that surround the property include: outside auto and truck sales, leasing and repair, construction equipment sales, leasing and repair, auto detailing, retail tire sales and repair, lawn equipment sales and repair, trailer sales and repair, "non-urban" undeveloped, auto museum and display; auto and truck quick oil change, and landscaping materials sales. These uses are all similar to those requested by Petitioner. Petitioner intends and represents that it will keep and maintain the subject property in a clean, attractive and professional manner consistent with the new developments in the Valley, in compliance with all city codes and in a manner that befits this City's image.

5. Proposed hours of operation will be normal business hours Monday - Friday, and possible limited Saturday hours. This site is not intended to be a "retail" location at this time. The existing gate will be upgraded in appearance and Petitioner intends at this time to keep it locked during non-business hours.

6. Petitioner will agree to connect with any reasonable cross access requested or required by the City when and if such occurs, although there is no current plan to provide cross access from Petitioner's existing facility to the proposed site.

7. Petitioner cannot estimate a precise number, but has sufficient space under the proposed site plan to park the peak anticipated required vehicles that would be required, particularly in the case of severe and wide-spread hail or storm damage, most of which parking will be under the existing covered structures. Very few vehicles would be stored outdoors, meaning, not in or under the existing structures. No abandoned, unregistered, or otherwise "junk" vehicles will be stored on the property.

8. The current system of auto painting is water-born, filtered and regulated, and does not produce any noticeable orders or fumes outside of the yet to be installed paint booth, which, if installed, is required to meet current St. Louis County air permit regulations. A visit to Petitioner's current facility would be welcome to confirm this.

9. Photos are attached and will be made available for power-point presentation during the next meeting.

10. Revised site plan attached.

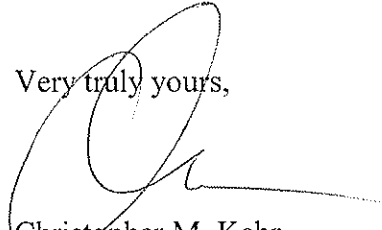
11 - 12. Petitioner has contacted the MO Department of Transportation and Chesterfield Public Works, and has revised the site plan to show the proposed future required ROW. Additionally, Petitioner will otherwise meet all requirements of MoDOT, Chesterfield

Mr. Charlie Campo, AICP  
August 6, 2009  
Page 3

and St. Louis County Highways and Traffic in their comments and as may be required in the future.

Petitioner has also met with the owner of the adjoining property to the east to discuss their concerns and believes that the proposed improvements will adequately address their concerns. The screening already in place will prevent any view of the interior and its contents. Petitioner will remain both sensitive and responsive to further concerns from the adjacent landowners.

Very truly yours,



Christopher M. Kehr  
Attorney for Petitioner

CMK:kms  
Enclosures

## ATTACHMENT A

- (k) Business service establishments.
- (q) Financial institutions.
- (y) Hotels and motels.
- (dd) Mail order sale warehouses.
- (ff) Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
  - (i) Facilities producing or processing explosives or flammable gases or liquids;
  - (ii) Facilities for animal slaughtering, meat packing, or rendering;
  - (iii) Sulphur plants, rubber reclamation plants, or cement plants, and
  - (iv) Steel mills, foundries, or smelters.
- (gg) Medical and dental offices.
- (hh) Mortuaries.
- (ii) Offices or office buildings.
- (ll) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (oo) Printing and duplicating services.
- (vv) Restaurants, fast food.
- (ww) Restaurants, sit down.
- (xx) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of vehicles used by business, industry, and agriculture.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- (iii) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
- (ooo) Vehicle repair facilities.



- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

October 5, 2009

To the Members of the  
Planning and Public Work Committee  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, MO 63017-0760

**Re: 84-Lumber, PZ 10-2009 Sent via Email with electronic signature**

Dear Members:

Petitioner requests the Members of this Committee consider approving this proposed zoning ordinance in the form of a substituted Planned Commercial instead of the current "PI" in the interest of time and based on the following changes by Petitioner:

1. Attached is a revised Attachment A with a narrower list of uses allowed under the Planned Commercial zoning. These requested uses are specifically tailored for his intended uses and those uses consistent with the layout of the existing facilities only, to provide some flexibility to use the property until redeveloped.

2. If this Committee requests specific limitations on hours of operation, Petitioner is requesting hours of use of Monday - Friday 6:00 a.m. to 8:00 p.m., Saturday 8:00 a.m. to 6:00 p.m. and Sunday 12:00 p.m. to 5:00 p.m.

3. If approved, Petitioner will immediately bring the site into compliance with the existing and approved landscaping plan for this site and will maintain it that way, in order to provide for adequate screening from both Airport Road and US 40/64.

4. Additionally, Petitioner intends on cleaning up the site, including painting and improving the appearance of the structures and improvements to a level consistent with the surrounding developments and Chesterfield Valley.

5. There will be NO paint orders leaving the property at any time.

Thank you for your consideration in this matter.

Very truly yours,

/s/ Christopher M. Kehr

Christopher M. Kehr  
Attorney for Petitioner

CMK:amt

cc: Charlie Campo, Planner, City of Chesterfield  
Jim Mason

(e) Associated work and storage areas required by a business, firm, or service to carry on business operations.

(z) Offices or office buildings.

(cc) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

(kk) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, and boats as well as associated repairs and necessary outdoor storage of said vehicles, but not including tractor trailers.

(ll) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, and agriculture.

(nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shoppers, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.

(rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.

(uu) Vehicle repair facilities for automobiles.

(vv) Vehicle service centers for automobiles.

(ww) Vehicle washing facilities for automobiles.







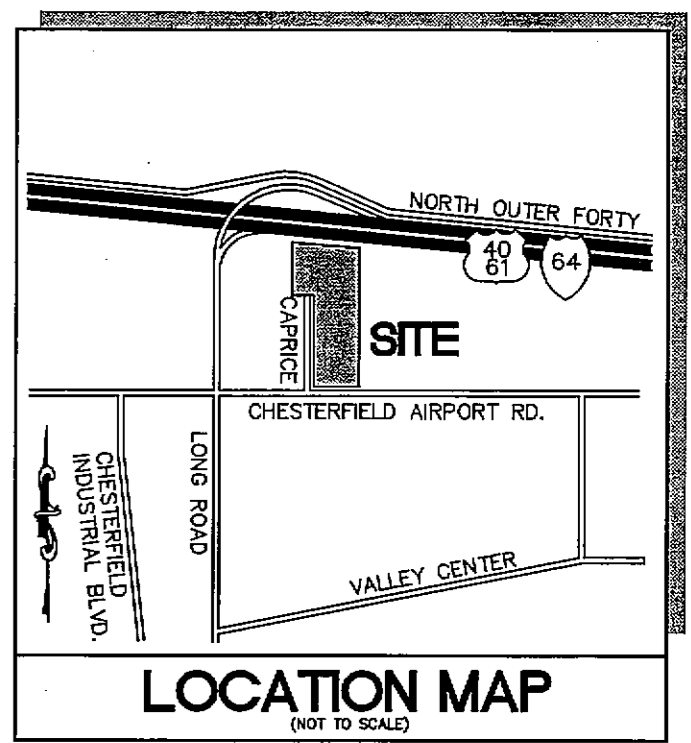






# PRELIMINARY DEVELOPMENT PLAN PROPOSED REZONING (PI - PLANNED INDUSTRIAL)

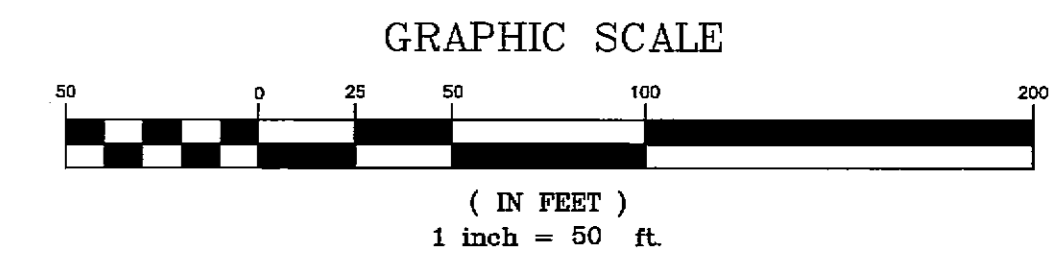
A TRACT OF LAND BEING LOT 1 OF 84 LUMBER SUBDIVISION  
AS RECORDED IN PLAT BOOK 339, PAGE 80  
TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN  
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



## PROPERTY DESCRIPTION - LOT 1

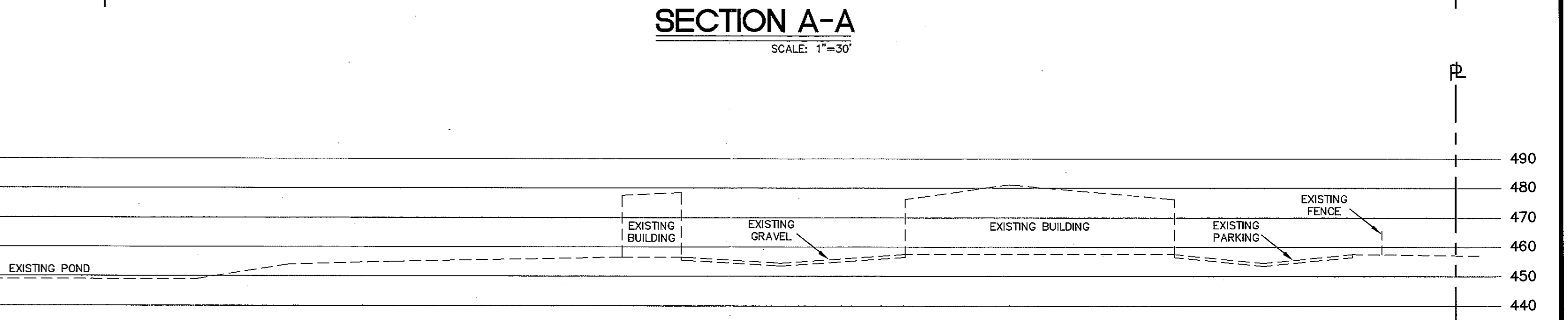
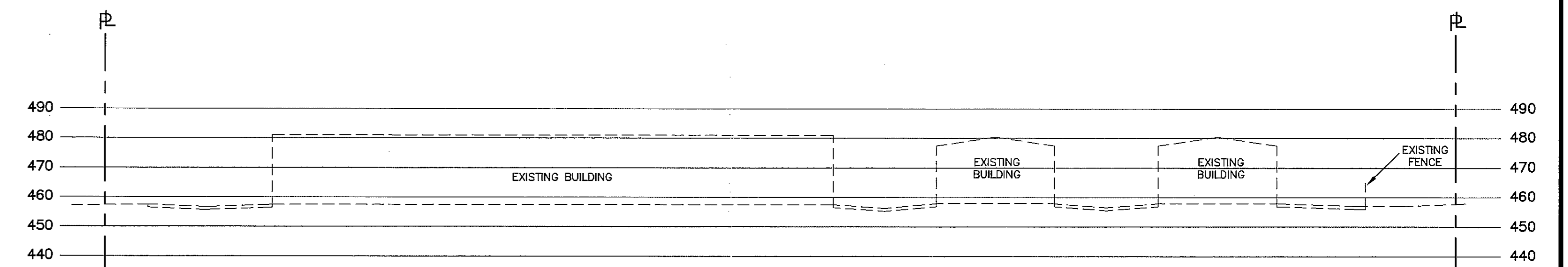
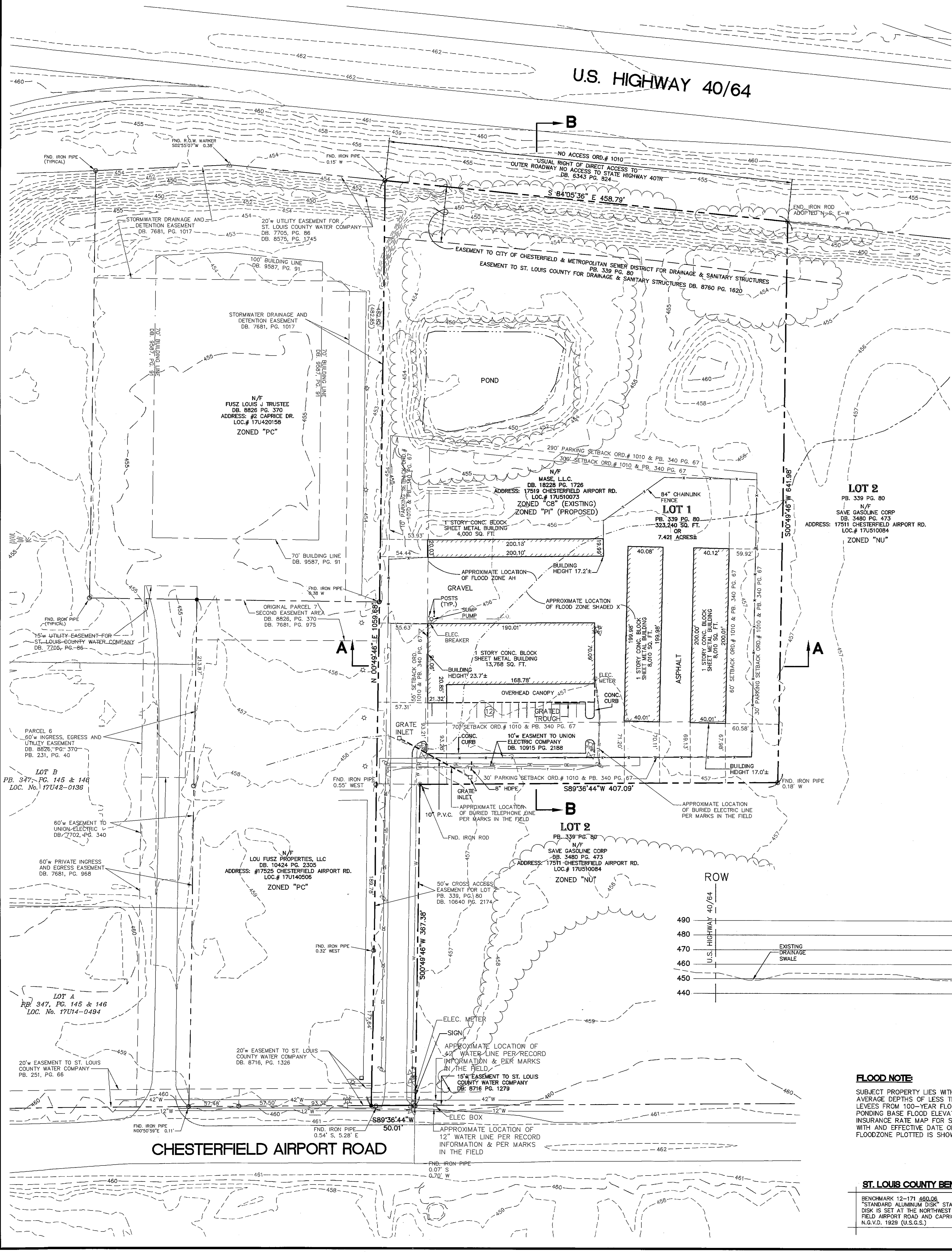
A tract of land being Lot 1 of 84 Lumber Subdivision, a subdivision recorded in Plat Book 339 Page 80 of the St. Louis County Records, located in U.S. Surveys 123 & 126, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the Northwest corner of Lot 1 of said 84 Lumber Subdivision, said point also being located on the South line of Missouri Interstate Highway 64, also known as U.S. Highway 40; thence along said South line South 84 degrees 05 minutes 36 seconds East, 458.79 feet to the Northeast Corner of above said Lot 1; thence departing last said South line and along the East line of above said Lot 1 the following courses and distances: South 00 degrees 49 minutes 45 seconds West, 641.98 feet; South 89 degrees 36 minutes 44 seconds West, 407.09 feet and South 00 degrees 49 minutes 45 seconds West, 367.38 feet to the North line of Chesterfield Airport Road, 100 feet wide; thence departing last said East line and along said North line South 89 degrees 36 minutes 44 seconds West, 50.00 feet to the Southwest corner of above said Lot 1; thence departing last said North line and along the West line of above said Lot 1 North 00 degrees 49 minutes 45 seconds East, 1059.67 feet to the Point of Beginning and containing 323,240 square feet or 7.421 acres, more or less, according to calculations performed by Stock & Associates Consulting Engineers, Inc. on April 20, 2009.



## PROPERTY DATA

OWNER:	MASE, L.L.C.
OUT-PARCEL B:	7.421 Acres ±
EXISTING ZONING:	C-8 (#1010)
PROPOSED ZONING:	P-1 (PLANNED INDUSTRIAL)
LOCATOR NO:	17U510073
DB / PAGE:	18228 / 1726
ADDRESS:	17519 CHESTERFIELD AIRPORT ROAD
FIRE DISTRICT:	MONARCH FIRE PROTECTION DISTRICT
SCHOOL DISTRICT:	ROCKWOOD R-6
SEWER DISTRICT:	METROPOLITAN ST. LOUIS SEWER DISTRICT
WATER SHED:	MISSOURI RIVER
FEMA MAP:	29189C0140H, LOMR APRIL 17, 2000
ELECTRIC COMPANY:	AMERENUE
GAS COMPANY:	LAQUEDE GAS COMPANY
PHONE COMPANY:	SBC
WATER COMPANY:	MISSOURI AMERICAN WATER COMPANY



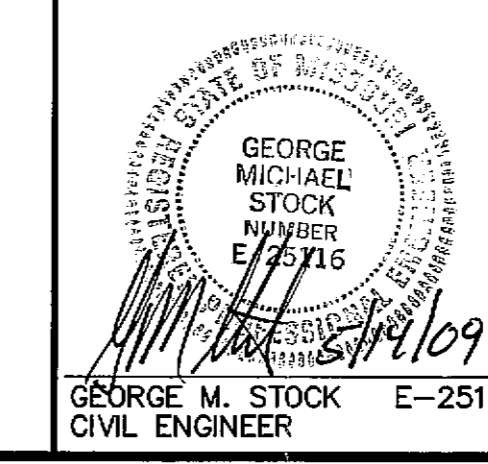
## FLOOD NOTE

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE SHADED X (AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD) AND FLOOD ZONE AH (ELEV. 456) (FLOOD DEPTHS OF 1 TO 3 FEET USUALLY OF PONDING BASE FLOOD ELEVATIONS DETERMINED) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI AND INCORPORATED AREAS MAP NUMBER 29189C0140 H WITH AND EFFECTIVE DATE OF AUGUST 2, 1995 AND REVISED TO REFLECT LOMR DATED APRIL 17, 2000. THE FLOODZONE PLOTTED IS SHOWN GRAPHICALLY FROM MAP ABOVE SAID MAP.

## ST. LOUIS COUNTY BENCHMARK

BENCHMARK 12-171 460.06  
"STANDARD ALUMINUM DISK" STAMPED SL-38, 1990.  
DISK IS SET AT THE NORTHWEST CORNER OF CHESTERFIELD AIRPORT ROAD AND CAPRICE DRIVE.  
N.G.V.S. 1928 (U.S.G.S.)

BASE MAP # 17U

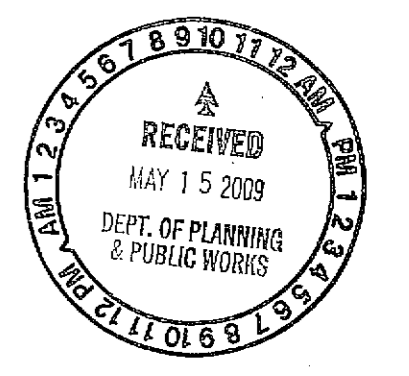


LOT 1 OF 84 LUMBER SUBDIVISION  
PRELIMINARY DEVELOPMENT PLAN - REZONING

**Stock & Associates**  
Consulting Engineers, Inc.

257 Chesterfield Business Parkway  
St. Louis, MO 63005  
PH. (636) 530-9100  
FAX (636) 530-9130  
e-mail: general@stockassoc.com  
Web: www.stockassoc.com

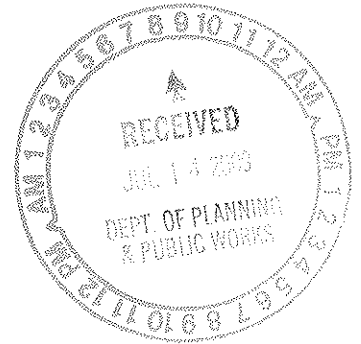
DRAWN BY:	DATE:	CHECKED BY:	DATE:	JOB NUMBER:	SHEET:
T.P.S.	05/14/09	G.M.S.	05/14/09	209-4406	1 of 1



Save Gasoline Company  
Suite 2405  
505 N. 7<sup>th</sup> Street  
St. Louis, MO 63101  
314-241-7777

July 8, 2009

Planning and Zoning Commission  
City of Chesterfield  
690 Chesterfield Parkway W  
Chesterfield, MO 63017-0760



**RE: P.Z. 10-2009 – 84 Lumber (MASE LLC)**

Dear Planning and Zoning Commission,

We have owned the 12.87-acre property located at 1751 Chesterfield Airport Road for over 50 years and are very concerned about the use proposed by Carstar Quality Collision Service for the parcel located adjacent to our property. We do not want to have the value of our property go down by allowing a collision repair center to go in next to our property.

If the collision repair center is allowed to continue to expand in the Chesterfield Valley, they will have a total of 9.5 acres; and you will have more derelict, totaled and damaged vehicles (cars, pickup trucks etc.) from all over the St. Louis region brought into Chesterfield Valley to be worked on.

With this comes the bad and environmentally unfriendly smells that are created when you paint damaged cars, and the eyesore of the constant flow of tow trucks hauling damaged cars up and down Chesterfield Airport Road. This type of business does not need to be located in a highly visible, prime location with Highway 40 visibility and access to Chesterfield Airport Road in the heart of Chesterfield Valley. The customers of a collision repair center (insurance companies etc.) will find them wherever they are located (which is most often in heavy industrial-type locations that are much less visible).

We have had buyers interested in our property that wanted to develop high-end types of developments including: a hotel, retail center, and office and medical office buildings. If a car collision repair center is located next door to our property, it would effectively kill any interest from these high-end users.

Carstar Quality Collision Repair bought the site at a cheap price because they took advantage of the soft real estate market that we are currently in. However, the market will come back, as will the high-end users. Now is not the time to react and approve a use like this that will end up being in Chesterfield Valley for many years to come.

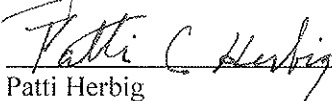
We are asking you not to approve this use because it does not benefit the quality of the Chesterfield Valley for the short-term or the long-term. We appreciate and thank you for your consideration regarding this important matter.

Sincerely,

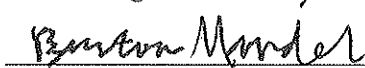
Owners

  
\_\_\_\_\_

Jack Pohrer

  
\_\_\_\_\_

Patti Herbig

  
\_\_\_\_\_

Burton Mandel

  
\_\_\_\_\_

Gary Pohrer

  
\_\_\_\_\_

Stuart Mandel